



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/406,530	09/27/1999	ODD N. ODDSEN JR.	3757.3004	1717

530 7590 04/26/2002

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK
600 SOUTH AVENUE WEST
WESTFIELD, NJ 07090

EXAMINER

COTTINGHAM, JOHN R

ART UNIT	PAPER NUMBER
----------	--------------

3679

DATE MAILED: 04/26/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/406,530

Applicant(s)

ODDSEN JR., ODD N.

Examiner

John R. Cottingham

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 2/20/2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-47 and 49-56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 49-56 is/are allowed.
- 6) ☐ Claim(s) 1-3, 5-8, 10, 11, 13, 15, 16, 18-33, 38, 40-42, 44, 45 and 47 is/are rejected.
- 7) ☐ Claim(s) 4 9 12 14 17 34-37 39 43 46 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the keyboard and laptop (since they are now positively claimed) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1-3, 6-8, 10-11, 13, 18-23, 25-26, 28-33, 38, 40-42, 44, 45, and 47 are rejected under 35 U.S.C. 102(e) as being anticipated by Sweere et al. U.S. Patent 5,842,672. Sweere et al. shows all of the claimed subject matter of a tilter in Figures 1-29 (especially Figures 2 & 4). The tilter comprises a support block 64 coupled to and configured to pivotally engage the support mount 50 around a first axis; a center tilt mount 84 coupled to and configured to pivotally engage the support block 64 around a

second axis, wherein the second axis is perpendicular to the first axis; and an adapter plate 38 configured to attach to the device. A shaft 58 attached to the support block extends away from the support block 64 along a vertical first axis, the shaft adapted for engagement with the support mount whereby the support block is pivotable around the vertical first axis.

Regarding claim 2, a rotating plate 86 is configured to be secured to the adapter plate 38 and to be rotatably secured to the center tilt mount so as to permit pivotal rotation of the adapter plate 38 relative to the center tilt mount around a third axis, wherein the third axis is perpendicular to the second axis.

Regarding claim 3, the rotating plate is rotatably secured to the center tilt mount 84 by a rivet 90.

Regarding claim 6, the center tilt mount 84 includes a first opening and the support block 64 has a second opening that aligns with the first opening (see bolt holes 58).

Regarding claim 7, a tilter shaft 58 configured to fit within the aligned openings of the center tilt mount and the support block so as to pivotally secure the center tilt mount to the support block 64:

Regarding claim 8, a bushing 78 configured to receive the tilter shaft 58 there through and configured to be received in the opening of the support block.

Regarding claim 10, the tilter shaft 58 has a knurl band (viewed as the threads) located at one end.

Regarding claim 11, the center tilt mount 84 includes a groove (the gap between the two members) formed on a surface thereof.

Regarding claim 13, the center tilt mount 84 includes a groove (the gap between the two members) formed on a surface thereof.

Regarding claim 18, the device 216 attached to the adapter plate is a flat screen television.

Regarding claim 19, the device attached to the adapter plate is a flat screen computer monitor 216.

Regarding claim 20, the device attached to the adapter plate is a keyboard (see title of Sweere patent).

Regarding claim 21, the device attached to the adapter plate is a laptop computer 216.

Regarding claim 22, a tilter comprises a support block 64 including a shaft 58 and a body, the support shaft 58 is disposed within one end of the body extending outwardly therefrom and having an axial centerline aligned with a first axis, the support shaft 58 is coupled to the support mount 50 and configured to pivotally rotate around the first axis, and the body has a hole formed therein, the body hole having an axial centerline aligned with a second axis that is perpendicular to the first axis; a center tilt mount 84 having a floor (contacting 86) and sidewalls extending therefrom, each having a sidewall hole, each sidewall hole is aligned with the outer sidewall hole and body hole; a tilter shaft 80 coupled to the body hole and the sidewall holes so as to rotatably engage the support block and the center tilt mount so that the center tilt mount can

Art Unit: 3679

pivotally rotate around the second axis; and means 38 for connecting the device to the tilter.

Regarding claim 23, the means for connecting the device to the tilter is an adapter plate.

Regarding claim 25, the adapter plate 38 is connected to the device with fasteners 90 and 92.

Regarding claim 26, the fasteners are screws.

Regarding claim 28 the adapter plate is connected to the center tilt mount with fasteners 90 and 92.

Regarding claim 29, the fasteners are screws.

Regarding claim 30, a rotating plate 38 is coupled to the center tilt mount.

Regarding claim 31, the floor has a hole, and the floor hole has an axial centerline aligned with a third axis that is perpendicular to the first axis and the second axis, the rotating plate 38 has a hole formed therein that is aligned with the floor hole, and further comprises means for connecting the rotating plate and the center tilt mount.

Regarding claim 32, the means for connecting the rotating plate 38 and the center tilt mount is a rivet 90.

Regarding claim 33 the rivet is inserted through the floor hole and the rotating plate hole.

Regarding claim 38, the means for connecting the device to the tilter is an adapter plate 38.

Regarding claim 40, the adapter plate is connected to the center tilt mount with fasteners 90 and 92.

Regarding claim 41, the fasteners are screws.

Regarding claim 42, the center tilt mount includes an indented region formed on a surface thereof and further comprising a washer 88 configured to be received within the indented region so as to be interposed between the center tilt mount and the rotating plate 38.

Regarding claim 44, the tilter shaft 58 includes a knurl band (threaded portion) insertable into one of the side wall hole so as to form a press fit.

Regarding claim 45, the tilter shaft is disposed within the bushing (washer) and the bushing is disposed through the body hole and the sidewall hole.

Regarding claim 47, the support shaft includes a knurl band located on a surface thereof, and the knurl band forms a press fit between the support shaft and the body.

3. Claims 1, 5-7, 10-11, 15-16, 22-30, 38, 40-41, 44, and 47 are rejected under 35 U.S.C. 102(b) as being anticipated by Norton U.S. Patent 4,470,106. Norton shows all of the claimed subject matter of a tilter in Figures 1-3. The tilter comprises a support block 72 coupled to and configured to pivotally engage the support mount 54 around a first axis; a center tilt mount 66 coupled to and configured to pivotally engage the support block 72 around a second axis, wherein the second axis is perpendicular to the first axis; and an adapter plate 64 configured to attach to the device. A shaft 80 attached to the support block extends away from the support block 64 along a vertical

first axis, the shaft adapted for engagement with the support mount whereby the support block is pivotable around the vertical first axis.

Regarding claim 5, the center tilt mount has a first plurality of holes formed therein and the adapter plate has a second plurality of holes formed therein that is aligned with the first plurality of holes, and the aligned holes configured to receive a plurality of fasteners 70 so as to secure the adapter plate to center tilt mount 66.

Regarding claim 6, the center tilt mount 66 includes a first opening and the support block 72 has a second opening that aligns with the first opening.

Regarding claim 7, a tilter shaft 76 configured to fit within the aligned openings of the center tilt mount 66 and the support block 72 so as to pivotally secure the center tilt mount to the support block 72.

Regarding claim 10, the tilter shaft 76 has a knurl band (viewed as the threads) located at one end.

Regarding claim 11, the center tilt mount 84 includes a groove (the corner between the two members) formed on a surface thereof.

Regarding claim 15, the adapter plate 64 includes four holes forming corners of a square having sides approximately 100 mm.

Regarding claim 16, the adapter plate includes four holes forming corners of a square having sides of approximately 75 mm.

Regarding claim 22, a tilter comprises a support block 72 including a shaft 76 and a body, the support shaft 76 is disposed within one end of the body extending outwardly there from and having an axial centerline aligned with a first axis, the support

Art Unit: 3679

shaft 76 is coupled to the support mount 54 and configured to pivotally rotate around the first axis, and the body has a hole formed therein, the body hole having an axial centerline aligned with a second axis that is perpendicular to the first axis; a center tilt mount 66 having a floor (contacting 64) and sidewalls extending therefrom, each having a sidewall hole, each sidewall hole is aligned with the outer sidewall hole and body hole; a tilter shaft 76 coupled to the body hole and the sidewall holes so as to rotatably engage the support block 72 and the center tilt mount 66 so that the center tilt mount 66 can pivotally rotate around the second axis; and means 70 and 64 for connecting the device to the tilter.

Regarding claim 23, the means for connecting the device to the tilter is an adapter plate 64.

Regarding claim 24, the adapter plate 64 includes a plurality of holes and the plurality of holes form at least one configuration adapted for a device thereto.

Regarding claim 25, the adapter plate 64 is connected to the device with fasteners 70.

Regarding claim 26, the fasteners 70 are screws.

Regarding claim 27, the center tilt mount 66 has a plurality of mounting holes formed in the floor and the adapter plate includes a plurality of holes that align with the mounting holes.

Regarding claim 28 the adapter plate 64 is connected to the center tilt mount with fasteners 70.

Regarding claim 29, the fasteners 70 are screws.

Regarding claim 30, a rotating plate 65 is coupled to the center tilt mount.

Regarding claim 38, the means for connecting the device to the tilter is an adapter plate 64.

Regarding claim 40, the adapter plate 64 is connected to the center tilt mount 66 with fasteners 70.

Regarding claim 41, the fasteners 70 are screws.

Regarding claim 44, the tilter shaft 76 includes a knurl band (threaded portion) insertable into one of the side wall hole so as to form a press fit.

Regarding claim 47, the support shaft includes a knurl band located on a surface thereof, and the knurl band forms a press fit between the support shaft and the body.

Allowable Subject Matter

4. Claims 4, 9, 12, 14, 17, 34-37, 39, 43, and 46 are objected to for being dependant on reject claims but would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims.

Claims 49-56 allowed.

Response to Arguments

2. Applicant's arguments filed 2/20/2002 have been fully considered but they are not persuasive. Applicant argues that the examiner does not point out a support shaft extending outwardly from the support block in neither Sweere et al. nor Norton, however, the Examiner would like to point out that Sweere et al. has a support shaft 58 the extends outwardly to engage the support mount. Norton has a support shaft 80 that

Art Unit: 3679

extends outwardly to engage a support mount. Both references show all the claimed subject matter discussed above.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John R. Cottingham whose telephone number is (703) 306-3439. The examiner can normally be reached on Monday - Thursday, alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H. Browne can be reached on (703) 308-1159. The fax phone numbers for the organization where this application or proceeding is assigned are (703)

Art Unit: 3679

305-3597 for regular communications and (703) 305-3597 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-216.



Lynne H. Browne
Supervisory Patent Examiner
Tech Center 3600



John R. Cottingham
April 24, 2002